



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
152 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0152



MICHAEL P. CANTARA
COMMISSIONER

JAY BRADSHAW
DIRECTOR

BOARD OF EMS MEETING
DECEMBER 1, 2004
9:30 AM
MAINE EMS CONFERENCE ROOM

MINUTES

Board Members: Carol Pillsbury (chair), Bob Ashby, Alan Azzara, Oden Cassidy, Peter DiPietrantonio, Richard Doughty, Bill Dunwoody, Sue Dupler, James Farrell, Kevin Kendall, Paul Knowlton, Penelope Kneeland, Jim McKenney, Wayne Werts, Steve Diaz (ex-officio)

Regional Coordinators: Jim Caron, Donnie Carroll, Joanne LeBrun, Rick Petrie

Staff: John Bastin, Jay Bradshaw, Dwight Corning, Melissa Donovan, Dawn Kinney, Drexell White, Laura Yustak Smith, AAG

1. Introduction of Guests. Jay introduced Melissa Donovan, who has been hired as the new EMS Administrative Assistant. Missi transferred to EMS from the State Bureau of Identification where she has worked as an Identification Specialist for several years.
2. Approval of October 13, 2004, meeting minutes.

MOTION: To approved the minutes of the October 1, 2004, meeting as corrected. (Dupler; second by McKenney) Unanimous.

3. Old Business

- a. EMS Assessment Report. Jay reported that over the past two months, staff has attended numerous regional council and rescue chief meetings, to solicit input and participation in the Assessment work groups. Participation was also solicited at the Samoset "Town Meeting" on November 12.

One comment that came from the Samoset meeting was the suggestion that we use outside facilitators to allow active participation from work group participants.

MOTION: To identify facilitators interested and able to work with the Assessment Work Groups, and to have the Work Groups meet as soon as possible. (Dupler; second by McKenney). Unanimous.

- b. Approval of revised Clinical Behavioral Objectives. Members reviewed the changes that were made in the Preceptor requirements of the CBOs.

MOTION: To accept the changes to the Maine EMS Clinical Behavioral Objectives. (Dunwoody; second by Kneeland). Unanimous.

4. New Business

- a. Legislative/Budget Update. Jay reported that the anticipation is that there may be additional budget adjustments during the current fiscal year, and for the next two biennial budgets. Guidance from the Bureau of the Budget is anticipated within the next couple of weeks.

The Maine Ambulance Association is planning to request two legislative bills. The first is to adjust the Tort Claims Law to include all EMS services. The second is to require that MaineCare reimbursement be in alignment with Medicare reimbursement levels. Maine ambulance services have not had an increase in MaineCare (Medicaid) reimbursement in 18 years. A number of other states have been successful with lawsuits to make these adjustments.

- b. Operations Team Action Items – none at this time
- c. Education Committee Action Items – none at this time.
- d. Scope of Practice. Dwight made a presentation on the National Scope of Practice project on which he has been working and a summary of the highlights of comments from a meeting of Ops Team, MEMS staff, and numerous other interested people that was held on November 30. That group will meet again on January 4, 2005, to discuss drafting a response about the lack of an EMT-Intermediate level. Comments must be submitted to the Scope of Practice Committee before January 30, 2005.
- e. Investigations Committee Action items.

MOTION: To ratify the minutes of the October 6, 2004, Investigations Committee as distributed. (Kneeland; second by Dunwoody). Unanimous.

MOTION: To ratify the minutes of the October 13, 2004, Investigations Committee as distributed. (Ashby; second by Kneeland). Unanimous.

MOTION: To ratify the minutes of the November 3, 2004, Investigations Committee as distributed. (Werts; second by McKenney). Unanimous.

MOTION: To approve the consent agreement in case # 03-18 (Dunwoody; second by Doughty). Carried with 2 opposed (Kneeland, Kendall).

Members expressed their concern about the statutory limitations with regard to how criminal convictions may be considered in licensing decisions. Attorney Yustak Smith explained the changes that have been made in both the EMS Law and Rules, and some background on how these concerns are addressed by other licensing boards.

MOTION: To approve the consent agreement in case # 04-22 (Dunwoody; second by Doughty). Carried with 2 opposed (Kneeland, Kendall).

- f. Board Member Orientation. Attorney Yustak Smith reviewed a handout she prepared about Executive Sessions and made a presentation on the different types of hearings that the Board may be conducting. These are found in Chapter 12 of the EMS Rules.

Of particular importance is the understanding of “ex parte” communications and avoiding communication outside of a formal hearing setting with any parties that may be involved in an issue being presented to the Board. Such communication, in addition to conflicts of interest, must be disclosed.

- g. Staff Interpretation of Legislative Resolve. Jay reported on an issue that arose with an EMT-I who was serving the military in Iraq when his license expired in April. In December 2003, the Board passed a waiver of Chapter 5 § 4.B & 4.C; however, this individual was also affected by § 6, which was not part of the Board’s waiver. After reviewing the matter with the AAG, it was agreed that Legislative Resolve Chapter 140 provided the office with the ability to waive continuing education requirements – and if the matter of the Narcan update was considered to be continuing education, a Board waiver was not necessary to extend this individual’s license.

After discussion, the consensus of the Board was that while the staff interpretation was acceptable, a more appropriate action would be to include Chapter 5 § 6 in a waiver.

MOTION: To include Chapter 5 § 6 in the waiver that was approved for certain military personnel on December 3, 2003. (Farrell; second by Werts). Unanimous.

- h. Other – none at this time

5. Staff Update

a. MEMS

1. RAED – Jay reported that Access AED both issued a recall for several of its AEDs and went out of business. This affects 179 units that were distributed to rural services during the first year of the RAED project. The federal Office of Rural Health Policy has agreed that it is appropriate to use both current and future RAED funds to replace the Access units, and the Operations Team agreed. Jay is working with the Bureau of Purchases on accomplishing this replacement.
2. EMSC – MEMS has applied for the third year of EMSC funding. This was a non-competitive application for \$100,000 during the budget period 3/1/05 – 2/28/06.
3. Transportation Bond – Commissioner Cantara has notified The LifeFlight Foundation that their proposal for both infrastructure and human patient simulator training was selected by a proposal review committee. Barring an

appeal of this decision, MEMS will begin contract discussions with the LifeFlight Foundation in the coming weeks.

4. Electronic Run Report RFP – Jay reported that 7 vendors submitted proposals that will now be reviewed by the Department. The goal is to have a vendor identified and contract in place by early 2005.

b. MDPB

1. Protocols. Dr. Diaz reported that the MDPB has completed its review and update of the EMS Protocols and will likely approve the recommended effective date presented by the Operations Team.
 2. Paramedic Interfacility Transport (PIFT) Module. Several work groups are engaged in working on sections of the PIFT program. Work will likely continue for several months.
 3. Rapid Sequence Intubation (RSI). Discussion is continuing on the appropriate role for RSI in the prehospital setting. It is apparent that this will not be a widely available treatment option, but will be available to service and personnel who are able to meet stringent experience, training, and quality improvement benchmarks. Several articles have appeared in both Annals of Emergency Medicine and Prehospital Emergency Care about this topic in recent months.
 4. Cardiac Advisory Committee – next meeting is 12/15/04, at MaineGeneral Medical Center, in Waterville.
 5. Online Medical Control – a sub committee is working on this topic, which continues to be a top priority for the MDPB.
 6. ENA – Dr. Diaz attended the Emergency Nurses Association meeting in Bangor to discuss protocol changes, the MDPB, and other EMS issues.
6. Other – Chief Werts encouraged members to be alert to the impact of the reduced funding available for Homeland Security Grants in the coming year. These grants, which are administered through Maine Emergency Management Agency, are intended to improve infrastructure and response to homeland security issues.
 7. Next meeting date is scheduled for Wednesday, January 5, 2004 @ 9:30 AM.
 8. Meeting adjourned at 11:15 AM.